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AMARAVATI, TUESDAY, NOVEMBER 1, 2022

G.1041

PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

CHIEF EXECUTIVE OFFICER,
A. P. STATE WAQF BOARD,
4th FLOOR, IMDADAGHAR, Opp: KALESWARAO MARKET, VIJAYAWADA.

F.No.26 / M / ATP / 2014/ Z-V.

Date: 19-09-2022.

ANANTAPURAMU DISTRICT - BOMMANAHALLI MANDAL - KALLUBOLLA VILLAGE -
H/o BOLLAMGUDDAM VILLAGE - MOSQUE & DARGAH HZT. SYED SHABAD
DIWAN MALANG AHLE THABAKHAT (RH) - Sri J SYED YOUSUF VALI
S/o Late J. GUDU SAB RECOGNIZED AS MUTAWALLI U/Sec.42 OF THE
WAQF ACT, 1995 IN PLACE OF Late HUSSAIN SAHEB.

- Read :** 1.This Office Proceedings even No.,dated:04-07-2016 & 30-08-2018.
2.Application of Sri J. Syed Yousuf Vali, Kallubolla Village, dated:
11-09-2020.
3.This office memo dated:09-10-2020 to I.A Waqf, Anantapuramu District.
4. Report of the I.A.Waqf, Anantapuramu District, vide Lr.
No.81/KLB/ATP/2014, dated: 27-10-2020
5.This office paper notification dated:03-06-2021.
6. Report of the I.A.Waqf, Anantapuramu District, vide Lr.
No.06/ATP/ATP/2020, dated: 26-07-2021.
7. Board's Resolution No.160 of 2022, dated:22-03-2022.
8. Board's Resolution No.310 of 2022, dated:19-05-2022.
9. Board's Resolution No.379 of 2022, dated:25-08-2022.
10.Orders of the Hon'ble Chairperson, APSWB, dated.19-09-2022.

ORDER:

The Waqf Institution namely Mosque situated at Kallubolu Village, H/o Bollamguddam Village, Bommanahall Mandal, of Anantapuramu District is a Notified Waqf and got published in A.P. Gazette No.26, dated:28-06-1962 at Serial No: 1366 in page No. 796 & 797. The said institution is having attached lands in Sy No.157 to an extent of Ac.3-84 cents, Sy.No.27 to an extent of Ac. 58-95 cents, Sy.No.271 to an extent of Ac.17.02 cents and Sy.No.272 to an extent of Ac. 5.45 cents.Total to an extent of Ac.85.26 cts of Bollamguddam (V). Under the Towliath of 1) Madar Saheb, 2) Honnur Saheb, 3) Imam Saheb and 4) Hussain Saheb. Further, the Dargah Hzt. Syed Shabad Diwan Malang Ahale Thabakhat (Rh) situated at Kallubolu Village, H/o Bollamguddam Village, Bommanahall Mandal, of Anantapuramu District is a Notified Waqf published in A.P.Gazette No.26, dated:28-06-1962 at Serial No: 1367 in page No. 796 & 797 Under the Towliath of 1.Honnur Saheb 2. Madar Saheb who were died long back and the rule of success of the office of the both institutions are Mutawalli Hereditary by custom.

In the reference 1st read above, the Board has appointed to Sri J. Syed Yousuf Vali, S/o late J. Gudu Sab, as Mutawalli, U/Sec. 63 of Waqf Act,1995 for a period of Two (2) years on 1/4th share in respect of the subject Waqf Institution in place of his grandfather ie. Hnnur Saheb and extend the term of Mutawalli again for further (2) years on 30-08-20218, the said term of the Mutawalliship was expired on 29-08-2020.

In the ref. 2nd read above, an applicant of Sri J. Syed Yousuf Vali, S/o J. Gudu Sab was received by this office and he has requested to recognize him as Mutawalli in the place of his grandfather of Honnur Saheb (2nd Gazette notified Mutawalli) to the subject Waqf institutions U/sec. 42 of Waqf Act, 1995. Accordingly this office has called detail report from the Inspector Auditor Waqfs, Anantapuramu vide at ref. 3rd read above.

Accordingly, the Inspector Auditor, Waqf, Anantapuram District, has submitted report vide ref. 4th read above, that the attached land of the subject institutions are intact, the applicant is legal heir of Honnur Saheb who is one of the notified Mutawalli of the institutions has paid Waqf fund regularly to Board and managing the affairs of the institution and requested to consider the request of applicant to recognize him as Mutawalli U/sec. 42 of Waqf Act, 1995 for 1/4th share .

As a further course of action, a notification was issued on 03-06-2021, vide ref.5th read above, for calling claims and objections if any for recognition of Sri J. Syed Yousuf Vali, S/o late J. Gudu Sab of as Mutawalli U/sec 42 of Waqf Act,1995 for 1/4th share of the subject Mosque & Dargah.

The I.A.Waqf, Anantapuramu District has submitted his report on 16-10-2021 vide ref. 6th read above, along with original paper stating that the afore said notification was published in Eenadu daily District edition of Anantapuramu on 18-09-2021 by the applicant and there is no claims and objection received against the said notification.

The above said facts has been placed before the Board in its Board meeting held on 22-03-2022 subsequently the matter was referred to Towliath Committee vide resolution No.160/2022. The Board vide resolution No.310 of 2022, dated.19-05-2022 resolved to place all the matters before the Board referred to the Sub Committees earlier.

The subject matter was placed before the Board and the Board has resolved vide resolution No. 379 of 2022, dated.25-08-2022 in the ref.9th read above to recognize Sri. J Syed Yousuf Vali S/o Late. J. Gudu Sab as Mutawalli U/sec. 42 of Waqf Act, 1995 in place of late Hussain Saheb notified Mutawalli for Mosque & Dargah Hzt. Syed Shabad Diwan Malang Ahale Thabakhat (Rh), Kallubolla Village, Bommanahalli Mandal of Anantapuramu District

Accordingly, Sri. J Syed Yousuf Vali S/o Late. J. Gudu Sab is hereby recognized as Mutawalli in place of late Hussain Saheb (notified Mutawalli) to Mosque & Dargah Hzt. Syed Shabad Diwan Malang Ahale Thabakhat (Rh), Kallubolla Village, Bommanahalli Mandal of Anantapuramu District U/sec.42 of Waqf Act, 1995 for managing the affairs of the subject Waqf Institution by following Waqf Act,1995 and Waqf Rules.

The Mutawalli should discharge his legitimate duties strictly as determined in Section 50 of Waqf Act, 1995 read with Rule 20 of A.P. Waqf Rules, 2000 and should follow the instructions issued by the Board from time to time they should submit the Accounts U/sec.46 of Waqf Act, 1995 and Budget U/sec.44 of Waqf Act, 1995 and pay Waqf fund duly following the provisions laid down U/sec.72 & 77 of Waqf Act, 1995 properly, failing which action will be taken against him U/Sec. 61 and 64 of the Waqf Act, 1995 as the duties mentioned below.

- a) To implement the orders issued by the Board from time to time.
- b) To carry out the directions of the Board
- c) To allow inspection of the Inspector Auditor, Waqfs regarding property, accounts, records, deeds and documents relating thereof.
- d) To discharge all public duties.

- e) To do any other Act which he is Lawfully required to do so or under this Act.
- f) He shall render proper and correct accounts of the Institution and its attached properties and shall not suppress any facts.
- g) That the Mutawalli is restricted to grant lease of Waqf property exceeding one year.
- h) The Mutawalli should follow the Norms fixed in Section 56 of the Waqf Act, 1995 while granting Lease of any agricultural lands. He should follow Lease Rules, 2014 to put open auction through A.P. State Waqf Board.
- i) He will not entitled to expend the Monies of Waqf exceeding @ 10% of the Net annual Income.

As per Sec.101(2) of Waqf Act, 1995, "Every Mutawalli of a Waqf, every member of managing committee whether constituted by the Board or under any deed of Waqf, every Executive Officer and every person holding any office in a Waqf shall also be deemed to be a public servant within the meaning of Sec.21 of the Indian Penal Code". As such, for the illegal acts if any, every member of the committee will be liable for penal action. The Mutawalli shall also noted that Sec.3(ee) defined encroacher, Sec. 52-A explain rigorous punishment up to (2) years and Sec.61 speaks penalty and punishment up to (6) months for the lapses / charges shown therein, hence should act carefully diligently and maintain accounts scrupulously.

The APSWB reserves its right to modify / cancel / alter / with hold the order at any time without assigning any reasons thereof.

L. ABDUL KHADIR,
Chief Executive Officer,
A.P. State Waqf Board, Vijayawada.

To

Sri. J Syed Yousuf Vali S/o Late. J. Gudu Sab,
Mutawalli of Mosque & Dargah Hzt. Syed Shabad Diwan Malang Ahale Thabakhat (Rh),
Kallubolla Village, Bommanahalli Mandal of Anantapuramu District.

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